

10/520949  
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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 C.F.R. § 1.63)**

Attorney Docket Number	213222.00096
First Named Inventor	MARK FRAZER
COMPLETE IF KNOWN	
Application Number	10/520,949
Filing Date	January 12, 2005
Art Unit	Unassigned
Examiner Name	Unassigned

☐ Declaration Submitted with Initial Filing  
☒ Declaration Submitted after Initial Filing (surcharge (37 C.F.R. § 1.16(e)) required)

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM, APPARATUS AND METHOD FOR UPLINK RESOURCE ALLOCATION**

☐ is attached hereto  
or

☒ was filed on (MM/DD/YYYY) **01/12/2005** as United States Application Number or PCT International

Application Number **10/520,949** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**PRIORITY INFORMATION:**

I hereby claim domestic priority benefits under 35 U.S.C. § 119(e) of any provisional application listed below.

I hereby claim domestic priority benefits under 35 U.S.C. § 120 of any United States application, or § 365(c) of any PCT international application designating the United States listed below.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or 365(b) of any foreign application for patent, inventor's or plant breeder's rights certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Domestic or Foreign Application Number(s)	Country	Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? (for FOREIGN only)	
				YES	NO
2,393,502	CA	07/15/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT/CA03/01000		07/15/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## DECLARATION - UTILITY OR DESIGN PATENT APPLICATION

## CORRESPONDENCE ADDRESS

Direct all correspondence to: ☒ Customer Number or Bar Code Label **27160** or ☐ Correspondence address below

Name

Address

City

State


Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: **Mark**☐ A petition has been filed for this unsigned inventorGiven Name (first and middle): **Mark**Family Name or Surname: **FRAZER**Inventor's Signature: Date: **11/04/2005**Residence: **412-1210 Thorpe Road**

City

**Burlington**

State

**Ontario**

Country

**Canada**

Citizenship

**Canadian**

Mailing Address:

Street **312 Adelaide Street West, Suite 600**

City

**Toronto**

State

**Ontario**

Zip

**M5V 1R2**

Country

**Canada**